

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: MAURICE L. FREEMAN and : CHAPTER 13
REBECCA A. FREEMAN :
Debtor(s) :
 :
CHARLES J. DEHART, III :
STANDING CHAPTER 13 TRUSTEE :
Movant :
vs. :
 :
MAURICE L. FREEMAN and :
REBECCA A. FREEMAN :
Respondent(s) : CASE NO. 4-17-bk-02122

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 24th day of August, 2017, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required.

2. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor's have excess non-exempt equity in the following:

a. Residential real estate

3. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:

- a. 2016 Federal Income Tax return.
- b. Current Profit and Loss Statement for nine (9) months of 2017.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

CERTIFICATE OF SERVICE

AND NOW, this 6th day of September, 2017, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Donald Hahn, Esquire
P.O. Box 209
Bellefonte, PA 16823

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee